

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DUSTIN FOCKLER,)	
)	
Plaintiff,)	Civil Action No. 05-123 Erie
)	
v.)	Judge McLaughlin
)	Magistrate Baxter
UNITED STATES MARSHAL SERVICE,)	
)	
Defendant.)	

MOTION FOR EXTENSION TO TIME IN WHICH TO FILE AN AMENDED COMPLAINT,
OF, IN THE ALTERNATIVE, MOTION TO VOLUNTARILY DISMISS THE COMPLAINT

NOW COMES, the Plaintiff, Dustin Fockler, and appearing pro se, hereby moves this Court to grant an extension of time so that the Defendant can amend his complaint to name the appropriate defendants, etc., or, in the alternative, the Plaintiff would move this Court to voluntarily dismiss his complaint without prejudice:

Plaintiff realizes that a tort claim against the United States was inappropriate, and while the Plaintiff still has a basis of action, the defendants and some of the complaint is wrong and needs to be amended.

Plaintiff is not a lawyer. He is not trained in the law as a legal professional. He is a pro se litigant.

If the Court is not inclined to grant leave to amend, then the Plaintiff would move this Court to voluntarily dismiss the complaint without prejudice.

WHEREFORE, facts and premises considered, the Plaintiff prays that this Court grant this motion as moved.

Dated: April 25, 2006

Respectfully submitted:

FILED
APR 28 10:05
CLERK
U.S. DISTRICT COURT

Dustin Fockler
Dustin Fockler
Reg. No. 11376-040
FCI McKean
P.O. Box 8000
Bradford, PA. 16701-0980

PLAINTIFF pro se

CERTIFICATE OF SERVICE

I do hereby certify that on this the 25 day of April, 2006, I placed in the U.S. Mail, a true and correct copy of the foregoing pleading, first-class postage prepaid, for delivery to:

Megan E. Farrell, Esq.
Assistant U.S. Attorney
700 Grant Street, Suite 4000
Bradford, PA. 16701-0980

Dustin Fockler
Dustin Fockler